IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 2979 of 2007

(CRIME NO. 138/2006 OF N. PARAVUR POLICE STATION)
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PETITIONER/2ND ACCUSED:

C.K. SURESH, AGED 35 YEARS,
S/O.KESHAVAN, RESIDING AT CHANTHAPADATHU @
KUTTUVAYAYALIL HOUSE, TATTAOPILLY,
KOTTUVALLY VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.B.PREMOD.

RESPONDENT/COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2979 OF 2007

Dated this the 23rd day of May, 2007

O R D E R

Petitioner, who is the 2nd accused in Crime No.138/06 of Paravur Police Station for an offence punishable under Sec.304 read with section 34 I.P.C., seeks anticipatory bail. The occurrence took place on 28.02.06.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 29-05-2007 and 31-05-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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